

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

RONALD PROCTOR,)
Plaintiff,)
v.) C.A. No. 04-1243-JJF
C/O COVENTRY, SGT FAUST,)
LT. SALAS, LT. JOHN DOE I,)
DR. BROWN, BRIAN ENGREM)
Defendants.)

STATE DEFENDANTS' MOTION TO DISMISS/SUMMARY JUDGMENT

COME NOW, State Defendants, George Coventry, William Faust, Brian Engrem and John Salas by and through undersigned counsel, and hereby respectfully request that this Honorable Court enter an Order, pursuant to Rules 12 (b)(6) and 56 of the Federal Rules of Civil Procedure, dismissing with prejudice all claims against the State defendants. In support of their motion to dismiss/summary judgment, State defendants have filed simultaneously herewith a memorandum of points and authorities demonstrating the requested relief.

WHEREFORE, State Defendants respectfully requests that this Honorable Court enter an Order dismissing Plaintiff's claims with prejudice.

**STATE OF DELAWARE
DEPARTMENT OF JUSTICE**

/s/ Lisa Barchi
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Attorney for State Defendants

DATE: December 19, 2005

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Defendants.)

ORDER

AND NOW, this _____ day of _____, 200___, the Motion to Dismiss filed by State Defendants in the above-captioned matter having been duly considered, and any opposition thereto,

IT IS ORDERED that the Motion to Dismiss is granted and that judgment is hereby entered in favor of the movant and against the Plaintiff.

The Honorable Joseph J. Farnan, Judge
United States District Court

CERTIFICATE OF SERVICE

I hereby certify that on December 19, 2005, I electronically filed *Motion to Dismiss* with the Clerk of Court using CM/ECF. I hereby certify that on December 19, 2005 I have mailed by United States Postal Service, the document to the following non-registered participant:

Ronald Proctor
SBI # 163750
Delaware Correctional Center
1181 Paddock Road
Smyrna, DE 19977

/s/ Lisa Barchi
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